

14294. Misbranding of Gotu Kola tablets, Pantomin tablets, Panto-Plus tablets, Ribotabs tablets, Minerals Plus tablets, Everm wheat germ oil capsules, Cetabs tablets, Fero-B-Plex tablets, Kordel tablets, and Niamin tablets. U. S. v. 134 Packages, etc. (and 3 other seizure actions). F. D. C. Nos. 11810, 15807, 15916, 15926. Sample Nos. 49028-F, 28332-H, 28335-H, 28338-H, 28363-H, 28365-H to 28367-H, incl., 28370-H, 28371-H, 28376-H, 28392-H, 28395-H, 28398-H, 29406-H, 29407-H, 24909-H, 29414-H, 29415-H.)

LIBELS FILED: February 22, 1944, and April 16 and May 3 and 4, 1946, Northern District of California, Southern District of Ohio, and Western District of Washington.

ALLEGED SHIPMENT: Between the approximate dates of December 6, 1943, and March 21, 1945, by Lelord Kordel Products and Nutrition Enterprises, from Chicago, Ill.

PRODUCT: 134 packages of Gotu Kola tablets, 73 cartons of Pantomin tablets, 75 cartons of Panto-Plus tablets, 184 cartons of Ribotabs tablets, 404 cartons of Minerals Plus tablets, 209 cartons of Everm wheat germ oil capsules, 61 packages of Cetabs tablets, 411 packages of Fero-B-Plex tablets, 64 packages of Kordel tablets, and 41 packages of Niamin tablets at San Francisco, Calif., Cincinnati, Ohio, and Seattle, Wash.

Analyses disclosed that the Pantomin tablets contained vitamin D and small amounts of calcium salts, and that the Panto-Plus tablets contained yeast, iron, copper sulfate, vitamin B₁, and a calcium salt. The results of analyses of the other products were essentially the same as the results of analyses set forth in notices of judgment on drugs and devices No. 2580.

NATURE OF CHARGE: Gotu Kola tablets. Misbranding, Section 403 (a), the label statements "The need in human nutrition for *Hydrocotyle Asiatica* is not established" when considered in conjunction with the statement "supplies approximately 75% of the minimum adult daily requirement for iron derived from ferrous sulphate," were false and misleading since they implied that *Hydrocotyle asiatica* (Indian pennywort) has some value in human nutrition, whereas it has no value in human nutrition; and, Section 403 (i), the article was fabricated from two or more ingredients, and its label did not bear the common or usual name for *Hydrocotyle asiatica*, namely, Indian pennywort.

Pantomin tablets. Misbranding, Section 403 (a), the following label statements were misleading since there is no evidence that grayness of hair in human beings is the result of inadequate calcium pantothenate intake: "If no results in darkening premature gray hair are evident in one year, discontinue use * * * Inconclusive evidence indicates that lack of Calcium Pantothenate May be a factor in causing premature gray hair. On the other hand, a consensus of medical opinion is contrary to such indications."

Panto-Plus tablets. Misbranding, Section 403 (a), certain statements in the labeling of the article were misleading since they represented and suggested that the article was of value in restoring the original color to gray hair, whereas the article was of no value for such purpose.

Ribotabs tablets, Minerals Plus tablets, Everm wheat germ oil capsules, Cetabs tablets, Fero-B-Plex tablets, Kordel tablets, and Niamin tablets. Misbranding Section 403 (a), the labeling of these articles bore false and misleading statements which were similar to the statements borne in the labeling of the products involved in notices of judgment on drugs and devices, No. 2580.

The articles referred to in this paragraph, together with the Gotu Kola tablets, alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2581.

DISPOSITION: April 6, 1944, and August 11 and September 7, 1945. Default decrees of condemnation and destruction.

14295. Adulteration of Nestle's Food. U. S. v. 3 Cases * * *. (F. D. C. No. 25929. Sample No. 23839-K.)

LIBEL FILED: November 15, 1948, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about September 9, 1948, by the Nestle Co., Inc., from Marysville, Ohio.

PRODUCT: 3 cases, each containing 12 3-pound cans, of Nestle's Food at Baton Rouge, La.

LABEL, IN PART: "Nestle's Food A Sustaining Nutriment For Infants, Children and Convalescents Net Weight Three Pounds."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect parts.

DISPOSITION: January 8, 1949. Default decree of condemnation and destruction.

MISCELLANEOUS FOODS

14296. Adulteration and misbranding of chop suey. U. S. v. 68 Cases * * *. (F. D. C. No. 22189. Sample No. 57673-H.)

LIBEL FILED: January 16, 1947, District of Maine.

ALLEGED SHIPMENT: On or about October 17 and November 5, 1946, by the Som Won Co., from Danvers, Mass.

PRODUCT: 68 cases, each containing 24 1-pound jars, of chop suey at Portland, Maine.

LABEL, IN PART: (Jars) "My Favorite Brand Chicken Chop Suey De Luxe."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, chicken, had been in part omitted from the product.

Misbranding, Section 403 (a), the label "Chicken Chop Suey" was false and misleading as applied to the product which contained only about 1 percent of chicken.

DISPOSITION: December 31, 1948. Default decree of condemnation. The product was ordered delivered to a public institution.

14297. Adulteration of meringue powder. U. S. v. 1 Drum * * *. (F. D. C. No. 26074. Sample No. 40304-K.)

LIBEL FILED: November 17, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about September 1, 1948, by Brokay Products, from Philadelphia, Pa.

PRODUCT: 1 130-pound drum of meringue powder at Baltimore, Md.

LABEL, IN PART: "Milk-White Meringue For Pies, Tarts, and Lady-Locks."